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5/7/00

Interlake

## News -EPA moving ahead on property cleanup

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Special to the Inter Lake

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“We’re taking steps now to make sure the cleanups happen this summer,” said Paul Peronard, on-scene coordinator for the federal Environmental Protection Agency.

The EPA negotiated with Grace on the proposal until about two weeks ago, when the company announced it would not voluntarily agree to a cleanup plan. Grace said it preferred that the EPA issue a unilateral cleanup order, which would allow the company to appeal parts of the plan and associated costs.

Cleanup work has been delayed by the negotiations with Grace, Peronard said.

“In retrospect, it turned out to be a rather nonproductive negotiation process, and that’s really the rub,” he said.

The EPA now has two options. It can develop a plan and order Grace to do the work, as the company wants, or it can choose the “fund lead” option and use federal environmental Superfund money to hire a contractor to do the work, billing Grace later.

EPA policy favors enforcement over a fund lead, preferring to preserve the Superfund for situations where a company like Grace cannot be held accountable, Peronard said.

A fund lead, however, gives the EPA more control over the cleanup and more flexibility in dealing with

unexpected situations, Peronard said. It also tends to be faster, because it eliminates the middleman.

The EPA's regional office in Denver has recommended a fund lead at the former screening plant at the base of Rainy Creek Road, now owned by Mel and Lerah Parker. The Parkers live at the site and operate their business, Raintree Nursery, there.

A unilateral order has been recommended for the former expansion plant in Libby, now owned by the city and operated as an industrial park.

EPA headquarters is expected to make a decision on the regional office's recommendations next week, Peronard said. He noted that the level of attention the Libby project is receiving across the country is unusually high compared to typical EPA cleanup actions.

"Any way you look at it, this is complicated and high-profile," Peronard said.

The work to be done at the two sites will be similar; soil and buildings at both sites are contaminated with asbestos from the vermiculite Grace mined near Libby. But there is more contamination at the Parkers' property, there are more facilities to be dealt with, and there is the added complication of the site being the property owners' home.

Work at both sites will be done concurrently, but the Parker project is moving faster. The first task, now under way, is for the EPA to move the Parkers off the property. Then all the buildings will be demolished.

The soil at the property will be removed to a depth of 6 inches to 2 feet, replaced and planted with vegetation. The former railroad loading area across the river from the Parkers' property also will be cleaned up.

The EPA will work with the Parkers on replacement of the buildings — anywhere from exact replacement to a lump-sum cash payment.

"Typically, it's some combination of that," Peronard said.

The EPA is working with the city and its tenant at the

industrial park, Millwork West, to find a temporary location for that business during cleanup.

The city will have input on replacement of facilities at the industrial park and is considering options, including running water lines to the site.

In the end, the city will decide, as long as the cost is the same, Peronard said.

Under Superfund, property owners like the Parkers can be reimbursed for their buildings and for the cost of living elsewhere during the cleanup, but not for lost business or income. That was one of the hoped-for outcomes of the negotiations with Grace, Peronard said.

“We didn’t want them to have to litigate for their lost business interests,” he said.